

March 12, 2012

Marlene H. Dortch Secretary Federal Communications Commission 445 12<sup>th</sup> Street, S.W. Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication MB Docket Nos. 00-168 and 00-44

Dear Ms. Dortch:

On Thursday, March 8, 2012, Senator Gordon Smith, Christopher Ornelas, and Jane Mago of the National Association of Broadcasters met with Commissioner McDowell and his advisor Erin McGrath to discuss the above-referenced proceeding.

We emphasized NAB's continuing view that the FCC's prior decision to not include the political file in any online public file requirement was correct. We noted that in addition to arguments NAB had already developed in the record, NAB was filing supplemental comments to address the false premise underlying recent letters to the Commission suggesting that online disclosures of the information in broadcast political files was needed to inform the public. Specifically, NAB discussed the disclosure already available on the Federal Election Commission (FEC) website and the apparent intention of Congress that the FEC be the central repository of electoral information.

We also emphasized that broadcasters believe there will be potential anticompetitive effects if individual advertising rate information is available online where competitors in the market and commercial advertisers may anonymously glean the lowest unit rates charged by a station to its most favored commercial advertisers. We noted the potential this has for distortion in the market for commercial advertising, to the ultimate detriment of local television stations and their viewers.

Finally, we noted the inequity of requiring TV broadcasters to make this information available while not requiring the same of our competitors for political advertising dollars.

Marlene H. Dortch March 12, 2012 Page 2

This letter is being submitted electronically in the above-referenced docket, which has been granted permit-but-disclose status, pursuant to Section 1.1206(b) of the Commission's Rules. Should you have any questions concerning this submission, kindly contact the undersigned.

Respectfully submitted,

Jane E. Mago

Executive Vice President & General Counsel

**National Association of Broadcasters** 

Cc: Erin McGrath